IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

W.T.R. Nos.39 to 46 of 1988
Date of decision:24.10.2006

The Commissioner of Wealth-tax (Central), Ludhiana

...Petitioner

Versus

Smt.Raj Bala, Ludhiana **...Respondent**

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The Commissioner of Wealth-tax (Central), Ludhiana

...Petitioner

Versus

Shri Madan Singh, Ludhiana **...Respondent**

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The Commissioner of Wealth-tax (Central), Ludhiana

...Petitioner

Versus

Shri Gurmukh Singh, Ludhiana **...Respondent**

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The Commissioner of Wealth-tax (Central), Ludhiana

...Petitioner

Versus

Shri Bhagat Singh, Ludhiana **...Respondent**

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CORAM: HON'BLE MR.JUSTICE ADARSH KUMAR GOEL
HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr.S.K.Garg Narwana, Advocate for the Revenue.

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JUDGMENT

Following question of law has been referred for opinion of this Court by the Income Tax Appellate Tribunal, Chandigarh arising out of its order dated 2.3.1987 passed in W.T.A.Nos. 37,38, 33 to 36, 41 and 42 of 1986 respectively, in respect of the assessment years 1973-74 and 1974-75.

> "Whether on the facts and in the circumstance of the case, the Tribunal was right in law in holding that the assessee was entitled to deduction u/s 5(1) (iv) in respect of his share in the land and building owned by the firm, styled M/S Gurmukh Singh & sons, Ludhiana in which he is a partner?

We have, in our order passed today in W.T.R. Nos.32 to 37 of 1988 (**Commissioner of Wealth Tax (Central), Ludhiana Vs. Shri Kirpal Singh, Ludhiana)**, decided an identical question against the Revenue and in favour of the assessee.

In view of the above, question referred in the present case is also answered against the Revenue and in favour of the assessee.

(Adarsh Kumar Goel)
Judge

October 24 ,2006 **(Rajesh Bindal)**
Pka **Judge**